

**DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, AUGUST 11, 2014**

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 PM by President Keough at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan.

B. ROLL CALL: President Keough

J. Carson

D. Fisher

J. Semifero-ab

P. Cousins

J. Knight-ab

R. Tell

Also present: Courtney Nicholls, Acting Village Manager; Marie Sherry, Finance Director/Treasurer; Michelle Aniol, Community Development Manager; Carol Jones, Village Clerk; Dan Schlaff, Public Services Superintendent; Patrick Droze, Orchard, Hiltz & McCliment; residents and media.

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – July 28, 2014
2. Council Work Session – July 28, 2014

Motion Tell; support Fisher to approve the minutes of the Regular Council Meeting of July 28, 2014 and the Council Work Session of July 28, 2014 as presented.

Unanimous voice vote approval with Knight and Semifero absent.

D. PREARRANGED PARTICIPATION

None

E. APPROVAL OF THE AGENDA

Motion Fisher; support Tell to approve the agenda with the addition of information for New Business item L-1.

Unanimous voice vote approval with Knight and Semifero absent.

F. PUBLIC HEARINGS

Action on each public hearing will be taken immediately following the close of the hearing

None

G. NON-ARRANGED PARTICIPATION

Robert Murphy of 3713 Bristol Drive, Dexter inquired about the new AT&T U-verse in the Village as he is discouraged with Comcast and the rising costs of the cable company. Trustee Carson informed Mr. Murphy that the AT&T U-verse is just for phone and internet, not cable. Mr. Murphy also gave Courtney Nicholls his vote of confidence as she has moved into the Acting Village Manager position.

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar

I. REPORTS

1. Public Services Superintendent – Dan Schlaff

Mr. Schlaff submits his progress report of the DPW and Water/Sewer per packet. Mr. Schlaff gave the following updates:

- Ann Arbor Street Project – will be starting on the new water main between Terry B's and Dover Street and should be done by the end of the week. A question was raised regarding replacing the apron at Terry B's.
- Sludge – it is running at full force.
- Radar sign – it needs to go back to the manufacturer. Suggestion that when it is back it be used on Ann Arbor Street.
- 5th well – comment regarding the change in levels and that it may be a communication problem with the equipment.
- Trustee Cousins thanked Dan and his crew for preparing the temporary parking area on the Old DAPCO site for Dexter Daze.

2. Community Development Manager – Michelle Aniol

Ms. Aniol submits her report as per packet. Ms. Aniol gave the following updates:

- The report in the packet also includes the Quarterly Report.
- The Legislature bill regarding DDA's did reduce some of the requirements and Dexter is already providing much of the required information.
- The Gilbert property on the corner of Third and Inverness Streets has an old shed in the right-of-way and they would like the Village to remove this shed. Discussion followed with the preference to remove the shed and keep the right-of-way.
- Question asked as when will there be feedback from Professor Allen and his students regarding the Mill Creek Terrace property? (Should be by the next meeting.)

3. Boards, Commissions. & Other Reports-“Bi-annual or as needed”

Washtenaw County Sheriff – July 2014 Written Report

4. Subcommittee Reports

Facilities

- Partners in Architecture are continuing to interview regarding the Fire Hall/Village Office and there will be a workshop prior to the next council meeting to hear about the results.

Road Plan

- Cushing Court – The Road Committee met on August 6 with the residents from the court to discuss the possibility of an island. After discussion it was decided not to construct an island and also discussed some changes in signage. The residents liked being involved in the decision.
- Should have the bids back on the Mill and Overlay project by the August 25th meeting.

5. Acting Village Manager Report

Ms. Nicholls submits her report as per packet. Ms. Nicholls gave the following verbal updates:

- The referendum period for the bond will end on August 18 so that Council can pass the amount of the bond at the August 25th meeting.
- The Beer Grotto has requested placing a mural on the side of their building and the Village doesn't have any ordinances for murals. Will have the proposal go through the Arts Selection Committee then to Council.
- Plein Air Festival is this weekend with 50 registered artists and 13 walk ons. Reminder of the party for the artists on Tuesday and the special event on Thursday evening.

6. President's Report

Mr. Keough submits his report as per packet. Mr. Keough gave the following updates:

- Dexter Mill excavated the concrete pad that was under the building taken down by the tornado. Significant footings were found underneath and now are asking for some help to complete the project.
- Jim Merte, Scio Township Assessor has contacted DDA Attorney, Scott Munzel requesting a meeting between the Village and the township.
- There is a small drainage issue at the east end of Third Street and the Village will be looking into this problem.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$153,548.16

Motion Fisher; support Carson to approve item 1 of the Consent Agenda.

Unanimous voice vote approval with Knight and Semifero absent.

K. OLD BUSINESS-Consideration and Discussion of:

1. Discussion of: Incorporation as a City - Next Steps

Ms. Nicholls reported that there was a brief meeting of the Charter Commission on August 7 to work out the issue of how many persons could be voted for in the City Council portion of the ballot. Also discussed was the publication of informative materials.

L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Planning Commission Recommendation to Approve the Group Day Care Home Special Land Use Request for 3411 Hudson

Motion Fisher; support Cousins based upon the information provided by the applicant and staff at the August 11, 2014 Village Council meeting, and along with the Planning Commission's recommendation for approval, Village Council approves the Special Land Use Application for a Group Day Care Home at 3411 Hudson Street, pursuant to Section 8.02, Application, Review, and Approval Procedures and with the Planning Commission's recommendations.

Ayes: Carson, Cousins, Fisher, Tell and Keough

Nays: None

Absent: Knight and Semifero

Motion carries

2. Consideration of: Planning Commission Recommendation to Approve the Combined Site Plan for Morningstar Day Care – 7394 Dexter-Ann Arbor Road

Motion Carson; support Fisher based upon the information received from the applicant and staff at the August 11, 2014 Village Council meeting, and long with the Planning Commission's recommendation for approval, the Village Council approves the Combined Site Plan for the Morning Star Day Care Building Addition, dated 7/10/2014, in accordance with Section 21.04(E)6.

In making this determination, the following additional conditions shall apply:

1. Applicable concerns noted in the planning consultant, engineering consultant and DAFD reviews included in the August 4, 2014 Planning Commission packet, and subject to the Planning Commission's decision to waive or modify landscape standards for special situations as cited herein.
2. Staff's review of color rendering of elevations.

Ayes: Cousins, Fisher, ~~Knight~~ Tell, Carson and Keough

Nays: None

Absent: Knight and Semifero

Motion carries

3. Consideration of: Dedication of Dexter Crossing Phases 6, 7, and 8

Motion Carson; support Fisher be it therefore resolved that the Village accepts the dedication of the Roads and Infrastructure for Phases 6, 7, and 8 of Dexter Crossing Site Condominium for any and all public uses. The dedication will be completed and effective upon receipt by the Village of all required fully executed documents, including the Quit Claim Deed, Bill of Sale – Road, Bill of Sale – Utilities, Public Utilities Easement, Sanitary Easement, Storm Sewer Easement, Water Main Easement, and Annual Maintenance Payment Agreement.

Ayes: Fisher, Tell, Carson, Cousins and Keough

Nays: None

Absent: Knight and Semifero

Motion carries

4. Consideration of: Resolution for Street Certification for Streets in Dexter Crossing Phases 6, 7, and 8

Motion Tell; support Cousins be it resolved that the center line of the following streets in Dexter Crossings be described as: Coventry Circle (Right-of-Way 42 feet wide), Maltby Drive (Right-of-Way 50 feet wide), South Downs Drive (Right-of-Way 50 feet wide), and Wellington Drive (Right-of-Way 50 feet wide); that said streets are located with a Village right-of-way and are under the control of the Village of Dexter; that said streets are a public street and are for public street purposes; and that said streets were accepted into the Village Local Street System and were open to the public on July 28, 2014.

Ayes: Tell, Carson, Cousins, Fisher and Keough

Nays: None

Absent: Knight and Semifero

Motion carries

5. Consideration of: Purchase Agreement with Hafner Rentals LLC for 0.134 acres of Land Adjacent to 3616 Central

Motion Tell; support Carson to approve the purchase agreement with Hafner Rentals LLC for 0.134 acres of land adjacent to 3616 Central Street.

Ayes: Tell, Carson, Cousins, Fisher and Keough

Nays: None

Absent: Knight and Semifero

Motion carries

6. Consideration of: Bid Award to K & B Asphalt for \$22,000 to Crack Seal Village Roadway

Motion Fisher; support Tell to award the bid for the crack seal project of Village roadways to K & B Asphalt for the amount of \$22,000.

Ayes: Tell, Carson, Cousins, Fisher and Keough

Nays: None

Absent: Knight and Semifero
Motion carries

7. Consideration of: Resolution for Bank Signatory Changes

Motion Tell; support Fisher to approve the resolution for bank signatory changes to Village accounts.

Ayes: Cousins, Fisher, Tell, Carson and Keough
Nays: None
Absent: Knight and Semifero
Motion carries

8. Consideration of: Approval of 2014-2015 Budget Document

Motion Carson; support Cousins to approve the 2014-2015 Budget Document.

Ayes: Fisher, Tell, Carson, Cousins and Keough
Nays: None
Absent: Knight and Semifero
Motion carries

9. Consideration of: Acting Village Manager Employment Agreement

Motion Fisher; support Tell to approve the contract agreement for the Acting Village Manager, Courtney Nicholls.

Ayes: Tell, Carson, Cousins, Fisher and Keough
Nays: None
Absent: Knight and Semifero
Motion carries

M. COUNCIL COMMENTS

Cousins	None
Fisher	None
Jones	My father has been a part of the Dexter Coop for many years and may know about the foundations found under the cement slab.
Tell	None
Carson	None
Knight	Absent
Semifero	Absent

N. NON-ARRANGED PARTICIPATION

None

O. ADJOURNMENT

Motion Carson; support Cousins to adjourn at 9:00 PM.

Unanimous voice vote approval with Knight and Semifero absent.

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: August 25, 2014

22-2014

**RESOLUTION FOR THE
DEDICATION OF PUBLIC RIGHTS-
OF-WAY AND UTILITIES FOR
PHASES 6, 7 and 8 DEXTER
CROSSING**

**Village of Dexter
Washtenaw County, Michigan**

WHEREAS, the Dexter Village Council, on behalf of the Village of Dexter, of 8140 Main Street, Dexter, Michigan 48130 (the "Village"), approved a Final Site Plan for Dexter Crossing, a site condominium, located in the Village of Dexter, Washtenaw County, Michigan; and

WHEREAS, the approved Final Site Plan includes the rights-of-way known as portions of Wellington Drive and South Downs Drive and all of Coventry Circle and Maltby Drive collectively referred to as Phases 6, 7 and 8, and as further described in Attachment A hereto; and

WHEREAS, Dexter Development L.L.C. by Peters Building Co., a Michigan Corporation, Saline, MI 48176, have agreed to dedicate to the public, the roadways, sidewalks, signs, traffic control devices and other related improvements known as Phases 6, 7, and 8 in Dexter Crossing as a public rights-of-way, as well as the water main system, the sanitary sewer system, the storm water drainage system and any other utilities located within the development known as Dexter Crossings, as further described in Attachment A hereto (collectively, the "Roads and Infrastructure"); and

WHEREAS, OHM the Village Engineer reviewed legal description and easements for Phases 6, 7 and 8 submitted a letter dated June 17, 2014 and found them to be in order; and

WHEREAS, Village Council decided to waive the requirement for Dexter Development L.L.C. by Peters Building Co., a Michigan Corporation, to post a Maintenance and Guarantee M&G Bond in exchange for an agreement for payments in lieu of a M&G Bond; and

WHEREAS, execution of Annual Maintenance Payment Agreement in lieu of a M&G Bond is being considered with the adoption of this Resolution and shall not establish a precedent that will require the Village to issue similar waivers and or side agreements with respect to future public dedications of roads, rights-of ways, road infrastructure or utilities., and

WHEREAS, the Village has agreed to accept the dedication of the Roads and Infrastructure.

BE IT THEREFORE RESOLVED, that the Village accepts the dedication of the Roads and Infrastructure for Phases 6, 7, and 8 of Dexter Crossing Site Condominium, as further described in Attachment A hereto, for any and all public uses.

MOVED BY: Carson

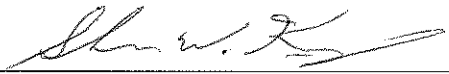
SECONDED BY: Fisher

YEAS: Cousins, Carson, Tell, Fisher, Keough

NAYS: None

ABSENT: Knight and Semifero

RESOLUTION 22-2014 DECLARED ADOPTED THIS 11th DAY OF AUGUST 2014.


Shawn W. Keough, Village President

CERTIFIED BY:


Carol J. Jones, Village Clerk

Resolution for Street Certification

At a regular meeting of the Village Council of Dexter, Michigan, held at the Dexter Senior Center on August 11, 2014 the following resolution was offered by Trustee Tell and seconded by Trustee Cousins:

WHEREAS, the Village of Dexter did on August 11, 2014 acquire title to Coventry Circle, Maltby Drive and portions of South Downs and Wellington, and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place these streets within the Village Street System for the purpose of obtaining funds under Act 51, PA 1951 as amended.

NOW THEREFORE BE IT RESOLVED:

That the center line of said streets is described as:

COVENTRY CIRCLE RIGHT-OF-WAY (42' WIDE):

A PARCEL OF LAND 42 FEET WIDE (21 FEET EACH SIDE OF CENTERLINE) FOR RIGHT-OF-WAY PURPOSES LOCATED IN DEXTER CROSSING PHASE 6, DESIGNATED AS WASHTENAW COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 293, MICHIGAN.

MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 207 OF SAID DEXTER CROSSING, PHASE 6; THENCE SOUTH 03°46'51" EAST 132.24 FEET ALONG THE EAST LINE OF LOT 207 EXTENDED TO THE POINT OF BEGINNING; THENCE SOUTH 86°13'08" WEST 90.68 FEET; THENCE 6.33 FEET ALONG THE ARC OF A 100.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 88°01'51" WEST 6.33 FEET; THENCE SOUTH 89°50'37" WEST 46.89 FEET; THENCE 157.08 FEET ALONG THE ARC OF A 100.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 44°50'37" WEST 141.42 FEET; THENCE SOUTH 00°09'22" EAST 58.59 FEET; THENCE 157.09 FEET ALONG THE ARC OF A 100.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 45°09'23" EAST 141.43 FEET; THENCE NORTH 89°50'37" EAST 79.24 FEET; THENCE 101.66 FEET ALONG A 230.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF NORTH 77°10'54" EAST 100.83 FEET; THENCE NORTH 62°47'42" EAST 33.38 FEET TO THE POINT OF ENDING.

MALTBY DRIVE RIGHT-OF-WAY (50' WIDE):

A PARCEL OF LAND 50 FEET WIDE (25 FEET EACH SIDE OF CENTERLINE) FOR RIGHT-OF-WAY PURPOSES LOCATED IN DEXTER CROSSING PHASE 8, DESIGNATED AS WASHTENAW COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 293, MICHIGAN.

COMMENCING AT THE NORTHWEST CORNER OF LOT 260 OF SAID DEXTER CROSSING PHASE 8; THENCE NORTH 01°35'19" WEST 25.00 FEET; THENCE NORTH 88°24'44" EAST 17.68 FEET; THENCE 59.28 FEET ALONG THE ARC OF A 500.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF NORTH 85°00'30" EAST 59.25 FEET; THENCE NORTH 81°37'07" EAST 54.87 FEET; THENCE 138.71 FEET ALONG THE ARC OF A 600.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT,

HAVING A CHORD BEARING AND DISTANCE OF NORTH 88°14'28" EAST 138.40 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°16'57" EAST 165.08 FEET TO THE POINT OF ENDING.

SOUTH DOWNS DRIVE RIGHT-OF-WAY (50' WIDE):

A PARCEL OF LAND 50 FEET WIDE (25 FEET EACH SIDE OF CENTERLINE) FOR RIGHT-OF-WAY PURPOSES LOCATED IN DEXTER CROSSING PHASE 7, DESIGNATED AS WASHTENAW COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 293, MICHIGAN.

MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 217 OF SAID DEXTER CROSSING, PHASE 7; THENCE SOUTH 69°02'25" WEST 26.81 FEET TO THE POINT OF BEGINNING; THENCE 160.41 FEET ALONG THE ARC OF A 230.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 23°16'46" EAST 157.17 FEET; THENCE SOUTH 03°18'01" EAST 117.20 FEET; THENCE 359.36 FEET ALONG THE ARC OF A 230.00 FOOT CIRCULAR CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 41°27'34" WEST 323.90 FEET; THENCE SOUTH 86°13'09" WEST 70.97 FEET TO THE POINT OF ENDING .

WELLINGTON DRIVE RIGHT-OF-WAY (50' WIDE):

A PARCEL OF LAND 50 FEET WIDE (25 FEET EACH SIDE OF CENTERLINE) FOR RIGHT-OF-WAY PURPOSES LOCATED IN DEXTER CROSSING PHASE 8, DESIGNATED AS WASHTENAW COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 293, MICHIGAN.

MORE PARTICULARLY DESCRIBED AS:

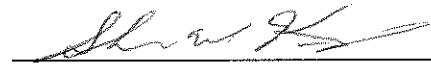
COMMENCING AT THE NORTHWEST CORNER OF LOT 260 OF SAID DEXTER CROSSING PHASE 8; THENCE NORTH 01°35'19" WEST 25.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°24'44" EAST 17.68 FEET; THENCE 59.28 FEET ALONG THE ARC OF A 500.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF NORTH 85°00'30" EAST 59.25 FEET; THENCE NORTH 81°37'07" EAST 54.87 FEET; THENCE 166.54 FEET ALONG THE ARC OF A 600.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF NORTH 89°34'11" EAST 166.01 FEET; THENCE SOUTH 82°28'43" EAST 11.20 FEET; THENCE 431.24 FEET ALONG THE ARC OF A 230.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF NORTH 43°48'32" EAST 370.79 FEET; THENCE NORTH 09°33'22" WEST 21.43 FEET; THENCE 171.13 FEET ALONG THE ARC OF A 600.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF NORTH 01°23'11" WEST 170.55 FEET; THENCE NORTH 06°47'09" EAST 44.51 FEET; THENCE 68.69 FEET ALONG THE ARC OF A 500.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF NORTH 03°03'32" EAST 68.64 FEET; THENCE NORTH 00°40'35" WEST 69.49 FEET TO THE POINT OF ENDING.

That said streets are located with a Village right-of-way and are under the control of the Village of Dexter.

That said streets are a public street and are for public street purposes.

That said streets were accepted into the Village Local Street System and were open to the public on August 11, 2014.

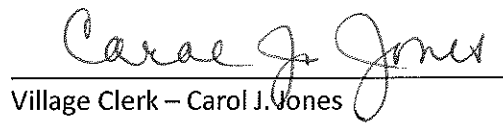
RESOLUTION DECLARED ADOPTED THIS 11th DAY OF AUGUST 2014.



Village President – Shawn W. Keough

CERTIFICATION

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, at a regular meeting held on the 11TH day of August 2014.



Village Clerk – Carol J. Jones